

## **REMARKS**

Claims presented for prosecution in this Application are claims 1 and 3-24, claims 2 and 25 being canceled by the present amendment. Claims 1-4 have been rejected over cited prior art, while claims 5-25 have been rejected on formalistic grounds. In view of Applicants' remarks below, Applicants respectfully submit that claims 1 and 3-24 are in condition for allowance. Accordingly, Applicants respectfully request that the present Response be considered and entered, the rejections to the claims be withdrawn, and that the case now be passed to issue.

### **In the Drawings**

Applicants have submitted herewith red-marked drawing figures 2 and 4 to replace formal drawing figures 2 and 4 currently on file. New formal drawings will be submitted upon acceptance of the red-marked changes by the Examiner.

### **Objections to the Specification**

The Examiner has objected to the specification on a number of formalistic grounds. In response, Applicants note the following:

- 1) Applicants have amended the specification to remove reference numerals 38, 40, 42, 46, 32 and 48;
- 2) Applicants have amended drawing Figure 4 to include reference numeral 34;
- 3) Applicants have amended the specification to remove reference numeral 26;
- 4) Applicants have amended drawing Figure 4 to include reference numerals 28, 30 and 36.

Applicants therefore respectfully request that the outstanding objections to the specification now be withdrawn.

### **Objections to the Claims**

The Examiner has objected to claims 5-25 as being in improper multiple dependent form. In response, Applicants have amended claims 5-25 so as to be in proper multiple dependent form.

Applicants therefore respectfully request that the outstanding objection to claims 5-25 now be withdrawn.

### **The 35 U.S.C. § 112 First Paragraph Rejection of Claims 1-4**

The Examiner has rejected claims 1-4 as containing subject matter asserted as not being described in the specification so as to reasonably convey that Applicants had possession of the claimed invention at the time of filing the application. Applicants respectfully traverse this rejection and assert that the subject matter of claims 1-4 are indeed described in the specification, as originally filed, in such a way so as to reasonably convey that Applicants had possession of the same at the time of filing.

In light of the Examiner's stated concerns, Applicants note the following:

1) The Examiner has stated that it is "not clear how the adjustment of spring elements 20 is done with a not-shown spring element 40 and a not shown rubber part 42".

In response, Applicants note the last paragraph of page 3, as well as the third paragraph of page 4, in which it is clearly stated that "a spring element or a rubber part [that] needs to be screwed onto or into the spring element".

It will be readily appreciated by one of ordinary skill in the art that by introducing a friction force *onto* the vibration reducing element (via a 'spring element' or a 'rubber part'), will of course affect the damping or spring constant of the

spring/vibration reducing element; Likewise, introducing a friction force *into* the vibration reducing element (via the introduction of a 'spring element' or a 'rubber part'), will also of course affect the damping or spring constant of the spring/vibration reducing element.

An example of this is best seen in Figure 4, and discussed on page 8 of the specification as originally filed. The dynamic characteristics of the 'spring element' 20 (which is one embodiment of the 'vibration-reducing element', as noted on Page 6, lines 1-2) shown in Figure 4, may be adjusted via the introduction of various screws (50) or mounting caps (52) on to or into the spring element 20. Moreover, Figure 2, and page 7, lines 6-7, explicitly discuss and illustrate the introduction of a 'rubber part 22', in concert with the shown spring element, in order to adjust the spring and damping constant of the present invention.

2) The Examiner has stated that it is "unclear how a non-shown contact surface 46 is displaced and limits a not-shown spring length 34".

In response, Applicants note that Figure 4 has been amended to more clearly define the 'spring length 34' of the spring element/vibration-reducing element 20. Moreover, as also shown in Figure 4, a spring cap 52 may be disposed around, or an adjusting screw 44 may be screwed into, the spring element/vibration-reducing element 20 to affect the spring length 34 of the spring element/vibration-reducing element 20.

3) The Examiner has stated that it is "not understood how the damping constant is adjusted by varying the axial prestress of the spring element 20".

In response, Applicants again note Figure 4 and the adjusting screw 44, which may axially prestress the spring element/vibration-reducing element 20, thereby adjusting the spring length 34 (see, *inter alia*, page 8, lines 20-30 in this regard).

4) The Examiner has stated that it is "not understood how the damping constant is adjusted by means of an axial prestress or by means of not-shown rotatable eccentric rings<sup>48</sup>".

In response, Applicants again note Figure 4 and the adjusting screw 44, which may axially prestress the spring element/vibration-reducing element 20, thereby adjusting the spring length 34 (see, *inter alia*, page 8, lines 20-30 in this regard). Moreover, it is well within the knowledge of one of ordinary skill in the art what the 'damping constant' is with respect to a springing element, and how compression of that element would affect the same.

5) The Examiner has stated that it is "not understood ... [w]hat is "friction pairing" and how is the pressing force varied?".

In response, Applicants submit that the 'friction pairing' would be known to one of ordinary skill in the art to refer to any element or device that could exert a frictional force upon the spring element/vibration-reducing element 20, such as is disclosed by the adjusting screw 44 shown in Figure 4. Moreover, the pressing force can be varied in this respect by further tightening the adjusting screw 44.

6) The Examiner has stated that it is "not clear how the thickness of spring wire and the average winding diameter are constructively defined".

In response, Applicants note amended Figure 4 in which the thickness of the spring wire (28), and the winding diameter (30) are defined.

In view of the above remarks and amendments, Applicants therefore respectfully request withdrawal of the 35 U.S.C. §112, First Paragraph rejection of claims 1-4.

**The 35 U.S.C. § 112 Second Paragraph Rejection of Claims 1-4**

The Examiner has rejected claims 1-4 as being indefinite for claim 1's use of the phrase 'in particular'.

In response, Applicants have amended claim 1 to remove this recitation. Applicants therefore respectfully request withdrawal of the 35 U.S.C. §112, Second Paragraph rejection of claims 1-4.

**The 35 U.S.C. § 102(e) Rejection of Claims 1-4 over Tajima**

The Examiner has rejected claims 1-4 as being anticipated by Tajima. Applicants traverses this rejection and respectfully assert that Tajima does not disclose or render obvious at least each and every element of, at least, independent claim 1.

As newly amended, claim 1 recites, *inter alia*:

"wherein the threaded adjusting element is selectively actuated to adjust the spring constant of said at least one vibration-reducing spring element"

In contrast, Tajima does not disclose that a threaded adjusting element may be utilized to actually change the spring constant of a vibration-reducing spring element. Applicants therefore believe that claim 1, and those depending therefrom, are allowable on this basis alone.

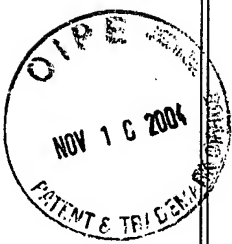
Applicants therefore assert that Tajima cannot anticipate the claimed configuration of elements as recited in, at least, independent claim 1. Applicants therefore respectfully request that the Examiner withdraw the existing rejection of claims 1-4 as being anticipated by Tajima.

Applicant earnestly believes that independent claim 1, as well as the associated dependent claims, clearly define over Tajima, however, should the Examiner believe that there remains any outstanding issues, Applicants respectfully request that the

Examiner contact Applicants' Representative so as to expedite resolution of these outstanding issues.

**Amendments to the Drawing Figures:**

Applicants are submitting herewith red-marked drawing figures 2 and 4 to replace formal drawing figures 2 and 4 currently on file.



## CONCLUSION

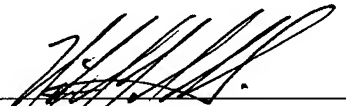
In view of the remarks above, it is respectfully submitted that claims 1 and 3-24 are allowable, and an early action to that effect is earnestly solicited.

The Examiner is invited to contact the undersigned at the number below to expedite resolution of any issues that the Examiner may consider to remain unresolved. In particular, should a Notice of Allowance not be forthcoming, the Examiner is requested to phone the undersigned for a telephonic interview while the outstanding issues are fresh in the mind of the Examiner.

Please charge our Deposit Account No. 13-0235 for the accompanying One-Month Extension of Time. It is believed that no additional fees or deficiencies in fees are owed. However, authorization is hereby given to charge our Deposit Account No. 13-0235 in the event any additional fees are owed.

Respectfully submitted,

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